IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

OLLIE GREENE, Individually as the § § surviving parent of WYNDELL GREENE, SR., WILLIAM GREENE, as the § Administrator of the Estate of WYNDELL § § GREENE, SR., and MARILYN BURDETTE HARDEMAN, Individually and as the § § CAUSE NUMBER: 3:11-cv-0207-N surviving parent of LAKEYSHA GREENE, § Plaintiffs, § v. § § § **JURY TRIAL DEMANDED** TOYOTA MOTOR CORPORATION, TOYOTA MOTOR ENGINEERING & § MANUFACTURING NORTH AMERICA, 8 8 8 8 8 8 8 8 8 8 8 INC., TOYOTA MOTOR SALES USA, INC., VOLVO GROUP NORTH AMERICA, LLC., VOLVO TRUCKS NORTH AMERICA, A DIVISION OF **VOLVO GROUP NORTH AMERICA,** LLC., STRICK TRAILERS, LLC, JOHN FAYARD MOVING & WAREHOUSE, LLC, and DOLPHIN LINE, INC. Defendants.

PLAINTIFFS' RESPONSE TO DEFENDANT STRICK TRAILERS, LLC'S MOTION FOR SUMMARY JUDGMENT

TO THE HONORABLE COURT:

Ollie Greene, Individually and as parent of Wyndell Greene, Sr., William Greene, as Administrator of the Estate of Wyndell Greene, Sr. and Marilyn Burdette Hardeman, Individually and the parent of LaKeysha Greene (collectively "Plaintiffs") file their Objections to Strick Trailers, LLC's ("Strick") summary judgment evidence and Response to Strick's Motion for Summary Judgment and show the Court as follows:

For the reasons stated in Plaintiffs' Brief in Support, the Court should strike and/or dismiss the evidence Strick presents allegedly in support of its motion for summary judgment. In

PLAINTIFFS' RESPONSE TO STRICK'S THIRD MOTION FOR SUMMARY JUDGMENT – Page 1

addition, as also demonstrated in Plaintiffs' Brief in Opposition to Strick's motion for summary judgment, Strick is not entitled to summary judgment on any of the claims asserted by Plaintiffs. For the reasons set forth in Plaintiffs' Response and Brief in Opposition to Strick's Motion for Summary Judgment, summary judgment in favor of Strick is not appropriate since Plaintiffs have evidence of the elements of each cause of action and the law does not provide that Strick is entitled to the relief sought in Strick's Motion for Summary Judgment.

Therefore, Plaintiffs pray that Plaintiffs' Objections be sustained, that Strick's Motion for Summary Judgment be denied in its entirety, and that Plaintiffs be granted all relief, at law and in equity, to which they are entitled.

Respectfully Submitted,

/s/ Aubrey "Nick" Pittman AUBREY "NICK" PITTMAN State Bar No. 16049750

THE PITTMAN LAW FIRM, P.C. 100 Crescent Court, Suite 700 Dallas, Texas 75201-2112 214-459-3454 214-853-5912 – fax pittman@thepittmanlawfirm.com

/s/ Daryl K. Washington
DARYL K. WASHINGTON
State Bar No. 24013714

LAW OFFICES OF DARYL K. WASHINGTON P.C.
325 N. St. Paul St., Suite 1975
Dallas, Texas 75201
214-880-4883
469-718-0380 - fax
dwashington@dwashlawfirm.com

CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2014, the foregoing pleading was filed with the clerk

of the court for the U.S. District Court, Northern District of Texas, using the electronic case

filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing"

to all attorneys of record who have consented in writing to accept this Notice as service of

documents by electronic means.

/s/ Aubrey "Nick" Pittman

AUBREY "NICK" PITTMAN